

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROLANDE CUTNER,

Plaintiff,

-against-

Docket No.: CV-07-8649
(LAK)(WM)

**DECLARATION OF
MELISSA HOLTZER**

THE LANTERN GROUP, ST. LOUIS HALL L.P.,
SRO HOTEL THE ST. LOUIS a/k/a THE ST. LOUIS
HALL, 319 REALTY SERVICES, LLP, and 319
WEST LLC and XYZ CORPORATION (said name
being fictitious, it being the intention of CUTNER to
designate any corporation having a legal interest in the
SRO HOTEL THE ST. LOUIS,

Defendants.

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MELISSA HOLTZER, an attorney duly admitted to practice law in the Courts
of the State of New York, hereby affirms, under penalty of perjury, the following:

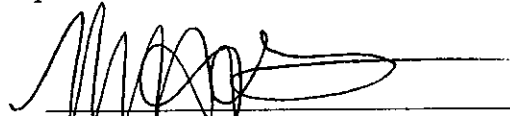
1. I am an associate with the law firm of MIRANDA SOKOLOFF
SAMBURSKY SLONE VERVENIOTIS LLP, attorneys for the defendants THE
LANTERN GROUP, ST. LOUIS L.P. s/h/a ST. LOUIS HALL L.P. and 319 REALTY
SERVICES L.P. s/h/a 319 REALTY SERVICES L.L.P. in the above-captioned action. I
submit this declaration in connection with defendants' motion for an order, pursuant to
Fed. R. Civ. P. 56(b), awarding summary judgment dismissing all of the claims alleged
against it in the plaintiff's complaint.

2. The attached exhibits are relevant to the defendant's motion for summary
judgment. Each exhibit is a true and accurate copy of what it purports to be.

3. Attached hereto are the following exhibits:

- Exhibit A: A copy of plaintiff's Complaint dated October 1, 2007.
- Exhibit B: A copy of defendants' Answer dated December 12, 2007.
- Exhibit C: A copy of defendants' Amended Answer dated December 31, 2007.
- Exhibit D: Affidavit of Rafal Markwat, dated September 4, 2008.
- Exhibit E: A copy of plaintiff's July 10, 2008 deposition transcript.
- Exhibit F: A copy of plaintiff's August 5, 2008 deposition transcript.
- Exhibit G: A copy of a memorandum prepared by the Lantern Group and distributed to the tenants of St. Louis Hall.
- Exhibit H: A copy of 319 Realty Services L.P.'s Service Improvement Schedule, dated September 5, 2007.
- Exhibit I: A copy of 319 Realty Services L.P.'s Interim Package Handling Policy, dated September 10, 2007.
- Exhibit J: A copy of the Verified Petition for the matter *Neighborhood in the Nineties et al. v. City of New York et al.*, Index No. 115705/07, an action which was commenced in Supreme Court, New York County.

Dated: Mineola, New York
September 4, 2008


MELISSA HOLTZER (MH 6636)